

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Louis J. DelJuidice on June 3, 2009.

The application has been amended as follows:

claim 1, line 1 – replaced “an” with --a socket--;

line 2 – replaced “, having” with --and--;

line 4 – replaced the first occurrence of “and” with a comma, added a comma after the second occurrence of “direction”, and replaced “an” with --a bearing seat--;

line 11 – deleted the second occurrence of “tier along”;

line 14 – added --diameter-- after “small”;

line 15 – added --socket-- before “opening”;

line 16 – added --forming a tier-- after “dimples”;

line 18 – added --diameter-- after “large”; and,

line 19 – added --socket-- before “opening” and deleted “the tier of”;

claim 3, line 2 – replaced “are” with --further form another tier--;

lines 2-3 – replaced “apart from each other” with --between the tiers of the
first dimples--; and,

line 5 – replaced “a line” with --lines--;

claim 10, line 20 – added --diameter-- after “small”;

line 25 – added --diameter-- after “large”;

line 27 – replaced “tier of the first” with --small--; and,

line 28 – replaced “small” with --first--; and,

claims 5 and 11 – cancelled.

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: the fourth tier of cavities in Figure 1, from the top of the bearing surface, was agreed to be replaced with --55-- as these cavities are currently mislabeled "53". The arrow in reference character 53 should be shown with a bracket enclosing both cavities “54 and 55” in Figure 3 otherwise 53 and 54 point to the same cavities. Further, the showing of the cavities in Figures 1, 5, and 6 are to be shown with solid lines since the use of hidden lines is misleading as the cavities are not hidden from view. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

regarding claims 1 and 10, the prior art of record does not disclose or suggest a bearing seat provided in a socket (claim 1, line 1) or a ball joint having a bearing seat comprising plurality of large diameter dimples respectively arranged apart from each other along a latitudinal direction at positions of a side of an opening of a bearing seat with respect to the small dimples, opened in approximately circular forms, and having opening areas larger than those of the first dimples and approximately equal to each other (claim 1, lines 18-21; claim 10, lines 25-29) in conjunction with small diameter dimples respectively arranged apart from each other along the latitudinal direction at position of a side opposite the opening with respect to a tier of first dimples, opened in approximately circular forms, and having opening areas approximately equal to each other (claim 1, lines 14-17; claim 10, lines 20-24). The closest prior art, McLaughlin et al., 6,231,264, Jaworski et al, 5,795,092, and Graber et al., 6,702,502, rather teach all circular dimples with the same diameter. There is no motivation, without given the applicant's own disclosure, to alter any of the tiers so that the openings are larger or smaller than another tier.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 571-272-7083. The examiner can normally be reached from 9:30AM-6:00PM. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached at 571-272-7087.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/E. G./

Examiner, Art Unit 3679

June 19, 2009

/Daniel P. Stodola/
Supervisory Patent Examiner, Art Unit 3679